

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THEODUS JORDAN,

Plaintiff,

v.

Civil Action
No. 04-10688-PBS

BOSTON PUBLIC SCHOOLS, et al.,

Defendants.

ORDER ON APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF FEES

Having considered the plaintiff's Application to Proceed Without Prepayment of Fees under 28 U.S.C. § 1915;

In accordance with Fed. R. Civ. P. 5(e), the clerk filed this complaint on _____ and assigned it Civil Action No. 04-10688-PBS.

It is ORDERED that:

The application to proceed without prepayment of fees is GRANTED.

It is FURTHER ORDERED that the clerk issue summons and the United States marshal serve a copy of the complaint, summons and this order upon the Boston Public Schools as directed by the plaintiff with all costs of service to be advanced by the United States.

It is FURTHER ORDERED that the complaint be dismissed pursuant to 28 U.S.C. § 1915(e) without further notice after thirty-five (35) days from the date of this Order, unless before that time plaintiff shows good cause, in writing, why this case should not be dismissed for the reasons stated in the accompanying memorandum.

G It is FURTHER ORDERED that the application is DENIED for the reasons stated in the accompanying memorandum.

5/17/04
DATE

/s/ Patti B. Saris
PATTI B. SARIS
UNITED STATES DISTRICT JUDGE